

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

RUDOLPH GEORGE STANKO,

Defendant.

8:06CR50

ORDER

This matter is before the court on the motion to continue by defendant Rudolph George Stanko (Stanko) (Filing No. 60). Stanko seeks a continuance of the trial of this matter for sixty days. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Stanko's motion to continue trial (Filing No. 60) is granted.
2. Trial of this matter is re-scheduled for **October 23, 2006**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **July 13, 2006 and October 23, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 17th day of July, 2006.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge